

Milwaukee County Clerk of Circuit Courts

Criminal & Traffic Courts Division *(County Courthouse)*

The Milwaukee County Clerk of Circuit Court Criminal Division is responsible for felony, misdemeanor, and traffic cases resulting from violations of State law or Milwaukee County ordinances, as well as jury trial requests from 19 municipal courts located in Milwaukee County.

Court records from this division are open to the public.

LOCATION: Milwaukee County Safety Building
821 West State Street, Room #117
Milwaukee, WI 53233
Phone: 414-278-4538 Fax: 414-223-1262

COMMON QUESTIONS

1. How long are case files kept?

Pursuant to Wisconsin Supreme Court Rule 72:

Felony files - 75 years after final judgment

Misdemeanor files - 20 years after final judgment

Traffic files - 5 years after final judgment

2. How do I find my case number and case information?

Case information is available at:

<http://wcca.wicourts.gov> You may also use public access computer terminals in Room #117 of the Safety Building to find case information, including court dates.

Criminal Division case files prior to 1998 need to be verified through the Clerk of Circuit Court office. They were converted from a different computer system, and there is a possibility of incorrect information being converted.

3. How do I get copies of documents in a case file?

Copies are available Monday-Friday 8:00 a.m.-5:00 p.m. from the customer service window outside Room #117 Safety Building (821 West State Street). Copies cost \$1.25 per page. If you need a copy of a document certified, the cost for certification is \$5.00 in addition to the copy costs.

Older files are located off-site and have to be ordered, which may take 2-3 days.

4. I received a traffic citation. What should I do?

If the citation requires a mandatory appearance, you **MUST** appear at the designated place and time.

If the citation does not require a mandatory appearance and you wish to PAY it, please mail a check or money order **BEFORE THE COURT DATE LISTED ON THE CITATION** to the Milwaukee County Sheriff, Room #102--Traffic Bureau, 821 West State Street, Milwaukee, WI 53233, Phone #278-4703. You must include the citation or a copy of it.

If the citation does not require a mandatory appearance and you wish to plead NOT GUILTY, you may do so by mailing your request to Court Commissioner, Room #221 Safety Building, 821 West State Street, Milwaukee, WI 53233. The request must be received **BEFORE THE COURT DATE AND MUST INCLUDE** a copy of the citation, your current address, and a statement that you wish to plead NOT GUILTY. If you plead not guilty by mail, please do not appear on the court date listed on the citation. Notice of the next court date, place, and time will be mailed to you.

5. Can I change a court date?

Office staff cannot change court dates. Non-appearance on a scheduled court date may result in a warrant being issued for your arrest.

6. I didn't show up for court. What should I do?

If you have a felony or misdemeanor case, the judge may have issued a warrant for your arrest.

If you have a felony case, you should turn yourself in at the Sheriffs Department, Room #G-01 of the Criminal Justice Facility (949 North 9th Street).

If you have a misdemeanor case, you should report to the customer service window outside Room #117 of the Safety Building (821 West State Street) to check the status of your case. If a warrant has been issued, inform the staff that you would like to clear the warrant. You will be sent to appear before the court commissioner. Please note that misdemeanor bench warrant walk-ins are processed by the court Monday-Friday in the **AFTERNOONS ONLY** and are handled on a first-come/first-served basis after the scheduled court calendar.

If you have a traffic case, the court may have issued a default judgment and sent you a copy. You are responsible for paying the fine within 60 days or your license will be suspended. Payments may be mailed to the Clerk of Circuit Court Cashier, Room #117 Safety Building, 821 West State Street, Milwaukee, WI 53233.

7. I received a default judgment on my traffic case. How can I reopen it?

You must appear in person at the customer service window outside Room #117 Safety Building (821 West State Street) to fill out a Petition to Reopen. Petitions are processed by the court Monday-Friday between the hours of 9:00 a.m. and 11:00 a.m. and are handled on a first-come/first-served basis after the scheduled court calendar.

8. My driver's license has been suspended because I didn't pay my fine. What should I do?

You may call 278-4599 for information. You will need to pay the fine to the Clerk of Circuit Court Cashier, Room #1 17 Safety Building, 821 West State Street, Milwaukee, WI 53233 AND you will need to pay a \$50.00 reinstatement fee to the Department of Transportation. Your license will NOT be reinstated automatically with the payment of your fine to the Clerk of Circuit Court. You must also pay the reinstatement fee to the D.O.T. Call your local D.O.T. office for information on paying the reinstatement fee.

9. How do I obtain an occupation driver's license?

Call the Wisconsin Department of Transportation at 608-266-2261 to determine your eligibility.

If you are eligible, please call 278-5386 to schedule an appointment. A brochure containing a petition and instructions will be mailed to you. The brochure and petition can also be picked up at the reception desk located in Room #117 of the Safety Building (821 West State Street) Monday-Friday between the hours of 8:00 a.m. and 5:00 p.m.

Petitions for occupational licenses are processed on Thursdays only. There is a non-refundable \$40-00 charge to petition for an occupational license.

10. I posted bail. How do I get my bail money back?

If the case is still open, the judge will usually require the bail to remain on deposit to ensure the defendant's appearance in court. After the case is closed, any remaining bail (after it is applied to the fine, court costs, assessments, and surcharges) will be returned to the person designated on the bail form. A bail refund check is usually mailed within 20 days of sentencing/disposition of the case. If you do not receive the bail refund after three weeks of the closing of the case, you may contact our office at 278-4538.

Note that if the defendant failed to appear for a court date, the judge may order the bail forfeited and issue a bench warrant for the arrest of the defendant. If the bail is ordered forfeited, our office will mail a notice to both the defendant and the person who posted bail.

11. I was a witness in a case. How do I request my witness fee?

Once the case is closed, you may call our office at 278-4538 to request your witness fee. Be ready to provide the case number, defendant's name, date(s) you were subpoenaed to appear in court, and your current address and phone number.

12. My State tax refund was intercepted. What do I do?

If you went to the State's website and found your taxes were intercepted, you will be receiving a letter with instructions and a phone number to call.

GLOSSARY OF SOME COMMON TERMS

Felony Crime punishable by imprisonment to a state prison for a period of at least one year.

Misdemeanor Crime punishable by confinement in the county jail of less than one year.

Judgement of Conviction Document that reports the sentence imposed by the court.

Conviction Status Report A report submitted to Department of Transportation usually notifying them of a change in the status of a defendant's case. This is common in TRAFFIC and DRUG cases.

Disposition All cases will have a disposition; this is the resolution--the finding of guilt or innocence, or the dismissal of charges.

Court Orders Fine Including Costs The amount the judge states is the total amount the defendant needs to pay to satisfy the judgment.

Court Orders Fine Plus Costs The amount the judge states is the fine amount only. Court costs, assessments, and surcharges will be added to the amount of the fine. The defendant is responsible for the total amount (after costs are added). If you don't know the total amount of the fine plus costs, you may contact our office at 278-4538. For more information on costs, see <http://wicourts.gov> Click on "about the courts" tab; click on "fees and filing information"

Concurrent Sentence Sentence served simultaneously (at the same time).

Consecutive Sentence Sentence to be served after another sentence is complete.